

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 16, 1942.

The City Council convened in regular session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, July 10, 1942, at 10:40 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; absent, Councilman Bartholomew.

Present also were: Acting City Manager Seaholm, City Attorney O'Quinn, and City Engineer Motheral.

The Minutes of the regular meeting of July 9, 1942, were read, and upon motion of Councilman Alford, were adopted as read by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf moved that the application of Melicia Bear Garden, 2713 East 5th Street, by Joe Melicia, owner, for a wine and beer permit be approved, subject to the issuance of the State permit. The motion prevailed by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Wolf moved that the application of Swift Package Store, 109 East 7th Street, by R. L. Schnautz, owner, for a package store permit be approved. The motion prevailed by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE RECONSTRUCTION OF THE PORTION OF THE ROUTE OF U. S. HIGHWAY NO. 81, IN THE CITY OF AUSTIN, STATE OF TEXAS, HERINAFTER REFERRED TO AS THE "STREET PROJECT" AND AUTHORIZING THE ACTING CITY MANAGER OF THE CITY OF AUSTIN TO EXECUTE AND THE CITY SECRETARY TO AFFIX THE CORPORATE SEAL AND ATTEST THE SAME, A CERTAIN CONTRACT BETWEEN THE CITY AND THE STATE OF TEXAS PROVIDING FOR THE INSTALLATION, CONSTRUCTION, EXISTENCE AND USE OF SAID STREET PROJECT; FOR THE PAYMENT, BY THE STATE OF TEXAS, OF THE CONSTRUCTION COSTS OF SAID STREET PROJECT; FOR THE ASSUMPTION, BY THE CITY, OF ALL DAMAGES TO ADJOINING, ADUTTING AND OTHER PROPERTY AND BUSINESS AND TO TENANT OR OCCUPANT THEREOF; FOR THE PROTECTION OF THE STATE OF TEXAS AGAINST ALL SUCH DAMAGES AND EXPENSES IN CONNECTION WITH ANY CLAIM OR SUIT THEREOF; AND DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

The Ordinance was read the first time, and Councilman Gillis moved that the rules be suspended and the Ordinance be passed to its second reading. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The Ordinance was then read the second time, and Councilman Gillis moved that the rules be further suspended and the Ordinance be passed to its third reading. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The Ordinance was then read the third time, and Councilman Gillis moved that the Ordinance be finally passed. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The Mayor then declared that the Ordinance had been finally passed.

The request of the Salvation Army for free water and light to its service building, which is being used for entertainment of soldiers, submitted by Acting City Manager Seaholm, was laid on the table, pending adoption of a policy that would apply to all other organizations doing similar work; and the Acting City Manager was instructed to continue to charge the Salvation Army for these utilities in the

merntime.

Councilman Wolf introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY ADDING TO SECTION 22, SUB-SECTION (f), WHICH PROVIDES FOR A TWO HOUR PARKING LIMIT, A CERTAIN SECTION OF NECHES STREET; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND DECLARING AN EMERGENCY.

The Ordinance was read the first time and Councilman Wolf moved that the rules be suspended and the Ordinance be passed to its second reading. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The Ordinance was then read the second time and Councilman Wolf moved that the rules be further suspended and the Ordinance be passed to its third reading. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The Ordinance was then read the third time and Councilman Wolf moved that the Ordinance be finally passed. The motion was seconded by Councilman Alford, and the same prevailed by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Councilman Alford moved that the following application for a private boat license be granted, subject to the approval of same by the Lake Austin Navigation Board:

Name and Address of Applicant

Description of Boat

Kreisle, Leonard F. - 5 Niles Road

Sea King, Outboard, 1939 Model,
Champion, 5-passenger

The motion was seconded by Councilman Gillis, and the same prevailed by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Mr. E. E. Riley came before the Council and requested that the City agree to allow the encroachment on the street by the Riley Cottages, located at 2121 South Congress Avenue, to remain until such time as the City may desire the removal of same in order to widen and improve the street, this agreement being a prerequisite to the contemplated sale of the property. The matter was referred to the Acting City Manager, with authorization to sign a letter, to be prepared by the City Attorney, that would meet the requirements of the loan company.

The following resolution was offered:

WHEREAS, City of Austin taxes were assessed in the name of S. L. Davis for the years 1933 through 1930 on Lot 6, Block 8, Outlet 36, Division "B", in the City of Austin, Travis County, Texas, said taxes being for the sum of \$94.26; and for non-payment of same at maturity, penalty in the sum of \$4.73 has been assessed, and interest in the sum of \$30.07 has accrued, making the total amount of taxes, penalty and interest the sum of \$129.06; and

WHEREAS, the City Council of the City of Austin deems it just and equitable to remit said penalty in the sum of \$4.73 and one-half of the interest in the sum of \$15.03; Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the aforesaid penalty in the sum of \$4.73 and one-half of the interest in the sum of \$15.03 are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge said penalty in the sum of \$4.73 and one-half of the interest in the sum of \$15.03 off his rolls, and to issue to the party entitled to receive same a receipt in full upon the payment

of said taxes and one-half of the interest, as aforesaid.

The foregoing resolution was adopted by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

The following resolution was submitted:

WHEREAS, it has been determined that the assessment for taxes against the improvements on State land, Plat 99, being House No. 4, now in the name of F. H. Sample for the years 1930 through 1941 is excessive; and that same should now be corrected for said years; Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the assessment for taxes on said property for the years 1930 through 1941 be and the same is hereby reduced and corrected from the original assessed value to the revised assessed value as follows:

| <u>Year of Levy</u> | <u>Original Assessed Value</u> | <u>Revised Assessed Value</u> |
|---------------------|--------------------------------|-------------------------------|
| 1930 | \$300 | \$205 |
| 1931 | 300 | 205 |
| 1932 | 300 | 205 |
| 1933 | 255 | 205 |
| 1934 | 355 | 205 |
| 1935 | 355 | 205 |
| 1936 | 355 | 205 |
| 1937 | 355 | 205 |
| 1938 | 355 | 205 |
| 1939 | 355 | 205 |
| 1940 | 355 | 205 |
| 1941 | 355 | 205 |

and that the City Assessor and Collector of Taxes is authorized and directed to make such change on the tax rolls, and

BE IT FURTHER RESOLVED:

THAT the City Council, after hearing the matter and duly considering same, deems it just and equitable to remit all penalty on said property for said years, and one-half of the interest on said taxes, in accordance with the revised assessment, the taxes amounting to \$54.42, the penalty being in the sum of \$2.72, and one-half of the interest amounting to \$10.59; therefore, the said penalty and one-half of the interest, as aforesaid, are hereby remitted, and the Tax Assessor and Collector of the City of Austin is authorized and directed to charge same off his rolls and to issue to the party entitled to receive same a receipt in full, on the payment of said taxes and one-half of the interest, amounting in the aggregate to \$65.00.

The foregoing resolution was adopted by the following vote: ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf; nays, none; Councilman Bartholomew absent.

Upon motion, seconded and carried, the meeting was recessed at 11:30 A. M., subject to call of the Mayor.

APPROVED Tom Miller
MAYOR

ATTEST:

Helen M. Keller
CITY CLERK